

A091 (Rev. 8/01) Criminal Complaint

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS**

UNITED STATES OF AMERICA

V.

Luis Anthony MOREL

Lucero Natalia GUTIERREZ-Gonzalez

CRIMINAL COMPLAINTCase Number: **2:19mj838**

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about March 1, 2019 in Brooks County, in the

(Date)

Southern District of Texas defendant, **Luis Anthony MOREL
Lucero Natalia GUTIERREZ-Gonzalez**

each aiding, abetting and assisting one another, did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 1324

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

Official Title

See Attached Affidavit of U.S. Border Patrol Agent **Antonino Gonzalez Jr.**

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on the:

March 2, 2019

Date

B. Janice Ellington U.S. Magistrate Judge

Name and Title of Judicial Officer

at

Corpus Christi, Texas

City and State

Signature of Judicial Officer

Antonino Gonzalez Jr.
Signature of Complainant

Antonino Gonzalez Jr.

Printed Name of Complainant

B. Janice Ellington
Signature of Judicial Officer

AFFIDAVIT

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

SYNOPSIS:

On March 1, 2019, Border Patrol Agents arrested Luis Anthony MOREL and Lucero Natalia GUTIERREZ-Gonzalez at the United States Border Patrol Checkpoint near Falfurrias, Texas for attempting to smuggle three illegal aliens concealed in the trunk of the car they were traveling in.

FACTS/DETAILS:

At approximately 4:50 p.m., a Dodge Challenger arrived at the Falfurrias Border Patrol Checkpoint primary inspection lane. The Border Patrol Agent at primary conducted an immigration inspection of the occupants of the vehicle, later identified as driver Luis Anthony MOREL and front seat passenger Lucero Natalia GUTIERREZ-Gonzalez. The agent asked MOREL where he was traveling to and he replied "*Back to Buda.*" He asked MORAL if that was where he lived and he replied "*Yes.*" The agent then asked MORAL what he was doing in the Valley and he replied "*I was visiting my Aunt in McAllen who recently had surgery.*" While the primary agent conducted his inspection of the occupants a Border Patrol Agent Canine Handler used his service Canine to conduct a nonintrusive free air sniff of the exterior of the vehicle.

The Canine alerted to the trunk and MOREL was asked for consent to look inside the trunk. A search of the trunk revealed three persons hidden inside. Agents determined Blanca MACARIO-Chitic, Juan ORDONEZ-Tzaj and E.Q.C. (16 year old juvenile) to be citizens and nationals of Guatemala. All three subjects admitted to being illegally present in the United States.

Agents arrested MOREL and GUTIERREZ-Gonzalez for alien smuggling and the three illegal aliens for being illegally present in the United States. All subjects were escorted into the Border Patrol Checkpoint and advised of their Miranda Rights.

PRINCIPAL STATEMENT (Luis Anthony MOREL):

MOREL stated he drove to the Rio Grande Valley with his girlfriend (GUTIERREZ) so she could visit her aunt who was going to have surgery. He stated he went to a bar in McAllen, Texas and was approached by a Hispanic male who asked him if he wanted to make some quick money. MOREL stated he drove to a Stripes convenience store where the man put the illegal aliens into the trunk of his car. MOREL stated he was going to be paid \$2,000.00 for each alien. He stated he was going to get instructions on where to take the aliens once he was passed the Border Patrol Checkpoint.

CO-PRINCIPAL STATEMENT (Lucero Natalia GUTIERREZ-Gonzalez):

GUTIERREZ initially stated travelled to McAllen, Texas to visit her aunt at the hospital. She claimed her boyfriend (MOREL) was running errands while she was at the hospital.

GUTIERREZ stated on their way back to Coppell, Texas. She said MOREL dropped her off at a taco store in Edinburg, Texas and told her he would be right back. She stated when MOREL returned she got into the vehicle and they drove to the checkpoint. GUTIERREZ claimed she did not have any knowledge of the illegal aliens in the trunk.

GUTIERREZ later recanted her statement and told agents she had recently been evicted a couple of times and really needed to make some money. She stated she dropped off MOREL at a Flying J (truck stop) in Edinburg, Texas and met a co-conspirator at another convenience store.

GUTIERREZ stated the co-conspirator put the illegal alien into the trunk while she waited in the vehicle. She stated she was going to be paid \$2,000.00 for each alien. She stated she returned to the Flying J and picked up MOREL. She stated they drove until they arrived at the Border Patrol Checkpoint where they were arrested.

GUTIERREZ provided a cellphone number from her cellphone for the co-conspirator. This confirmed her conversations, furthermore a conversation in Whats app messages revealed this was not her first time smuggling illegal aliens. Agents asked GUTIERREZ if she had smuggled aliens before she replied "*Maybe.*"

MATERIEL WITNESS STATEMENT (Blanca MACARIO-Chitic):

MACARIO-Chitic stated she crossed the Rio Grande River from Mexico on March 1, 2019, and was taken to a stash house in McAllen, Texas. She stated she was only there a few hours until a vehicle arrived to take her and two others north. MACARIO-Chitic stated she saw a female driving the vehicle and that the same female instructed her and the two other illegal aliens to get into the trunk. She stated she did not see who closed the trunk. She said they vehicle drove for approximately one hour and thirty minutes until they arrived at the Border Patrol Checkpoint where they were encountered.

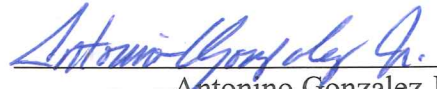
MATERIEL WITNESS STATEMENT (Juan ORDONEZ-Tzaj):

ORDONEZ-Tzaj stated he crossed the Rio Grande River from Mexico on March 1, 2019, at about 6:00 a.m., and was picked up by and unknown male driver and taken to a stash house in McAllen, Texas. He stated the other two illegal aliens he was encountered with were at the stash house with him. ORDONEZ-Tzaj stated after a couple of hours at the stash house he and the others were driven to a location where the load vehicle was waiting. He said there was male driver who told them to get into the trunk and instructed them to be quiet. He said they drove for about one hour and thirty minutes until they arrived at the Border Patrol Checkpoint where they were encountered.

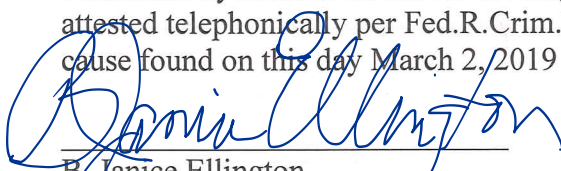
NOTE: E.Q.C. (16 year old juvenile) stated neither of the illegal aliens MACARIO-Chitic or ORDONEZ-Tzaj were related to him in any way. He stated he was traveling alone.

DISPOSITION:

The facts of this case were presented to Assistant United States Attorney David Paxton who accepted Luis Anthony MOREL and Lucero Natalia GUTIERREZ-Gonzalez for prosecution of 8 USC 1324, Alien Smuggling. Blanca MACARIO-Chitic and Juan ORDONEZ-Tzaj will be held as Material Witnesses.


Antonino Gonzalez Jr.
Border Patrol Agent

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on this day March 2, 2019


B. Janice Ellington
United States Magistrate Judge